UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

| UNITED STATES OF AMERICA, |) | Case No. 08-CR-1289-W |
|---------------------------|---|-----------------------|
| |) | |
| Plaintiff, |) | |
| |) | PROOF OF SERVICE |
| v. |) | |
| |) | |
| HAROLD GARNER and |) | |
| MONICA GARNER |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |

I am over the age of 18 and not a party to the within action; my business address is 136 Redwood Street, San Diego, CA 92103.

On May 1, 2008, I served the following document described as:

NOTICE OF MOTION AND MOTION FOR DISCOVERY

By the following method:

(X) CM/ECF FILING.

U.S. District Court Clerk Southern District of California

Sherri Walker Hobson Assistant U.S. Attorney

I declare under penalty of perjury and under the laws of the State of California that the foregoing is true and correct.

Executed on May 2, 2008, at San Diego, California.

s/ Howard B. Frank Howard B. Frank